



Mark S. Cherry

ATTORNEY AT LAW, P C

**ADMITTED TO N J, P A
a n d F E D E R A L
C O U R T S**

October 29, 2021

Honorable Andrew B. Altenburg
U.S. Bankruptcy Court
401 Market Street
Camden, NJ 08101

Re: Raymond T. Johnston
Chapter 13 Bankruptcy Case No. 19-31056

Dear Judge Altenburg:

Kindly accept this letter in Lieu of a more formal brief in Objection to the Motion for Relief of the Automatic Stay filed by Creditor, Midfirst Bank in the above referenced matter.

Back in June, 2020 the Debtor, Raymond T. Johnston and his mother, Elaine Johnston submitted a modification package to Creditor, Midfirst Bank. Additional documents were requested and supplied. However, on August 31, 2020 Elaine Johnston, passed away causing a stop in the modification process.

After time to grieve, the Debtor had to probate the Estate of Elaine Johnston in order to move forward. This was an extremely long process due to COVID making all probate transactions via regular mail. The process was even longer as the Debtor initially completed incorrect paperwork which required the probate of the Estate to be done over again correctly. This eventually was completed and the Estate of Elaine Johnston was established with her only son, Raymond as Administrator of the Estate.

The assumption package was submitted June 23, 2021. Additional documents were requested and one of them being transfer of the Deed from Raymond and his mother to Raymond and his wife. This was completed and filed with the County. The filed Deed was recently submitted to the Creditor/Mortgage lender. Accordingly, the assumption package should be in review with the Creditor, however, due to the length of the probate of the estate, the Creditor closed out the file causing further delay in the assumption process.



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The Debtor, Raymond Johnston is respectfully requesting that the Debtor's Motion for Relief of the Automatic Stay be denied at this time as the Debtor has been in full cooperation with the Creditor to obtain an assumption of the mortgage and modification of the loan to be able to retain his home.

Thank you for your courtesy and cooperation regarding this matter, and please do not hesitate to contact me should you have any questions.

Very truly yours,

Mark S. Cherry

Mark S. Cherry, Esquire

MSC/dm

Cc: Isabel Balboa, Trustee (Via electronic Filing only)
Ashley M. Pascuzzi, Esquire (VIA Electronic Filing and Email)